

UNITED STATES OF AMERICA DISTRICT COURT OF NEW JERSEY

Dr. Beverly M. Harris,

Plaintiff,

v.

Mr. Thomas S. Bozzuto, Founder of the Bozzuto Group,  
6406 Ivy Lane #700 Greenbelt, Maryland 20770,

Mr. Toby Bozzuto, Operating Officer, Bozzuto Group,  
6406 Ivy Lane #700 Greenbelt, Maryland 20770, &  
Partners of the Bozzuto Group, 6406 Ivy Lane #700  
Greenbelt, Maryland 20770,

Mr. David Curcio, Regional Manager, 6406 Ivy Lane #700  
Greenbelt, Maryland 20770,

Ms. Michelle Demetriou, Manager The Park Apartments,  
471 Raritan Road, Roselle New Jersey

**U.S. ATTORNEY GENERAL**, Jeffery Sessions, in his  
individual and official capacities, US Department of  
Justice, 950 Pennsylvania Avenue, NW, Washington, DC  
20530,

**DIRECTOR**, Christopher A. Wray, FEDERAL BUREAU  
OF INVESTIGATION, J. Edgar Hoover Building, 935  
Pennsylvania Avenue, NW, Washington, DC 20535,

AN UNKNOWN NUMBER OF UNKNOWN AGENTS  
OF FEDERAL BUREAU OF INVESTIGATION, 611  
Greenway Blvd, The Park Apartment, Roselle, New Jersey  
07203,

AN UNKNOWN NUMBER OF UNKNOWN AGENTS  
OF FEDERAL BUREAU OF INVESTIGATION, 11  
Centre Pl, Newark, NJ 07102,

AN UNKNOWN NUMBER OF UNKNOWN AGENTS  
OF FEDERAL BUREAU OF INVESTIGATION,  
addresses Unknown,

Defendants.

CASE NO.: 2:18-CV-10277-MCA-SCM

JUDGES: Judge Madeline Cox Arleo

Magistrate Judge Steven C. Mannion

**DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION  
AND FOR FRIVOLOUS AND MALICIOUS ACTION AND FOR FAILURE TO STATE A CLAIM  
UPON WHICH RELIEF MAY BE GRANTED, AND TO CONTEST SERVICE**

**CERTIFICATION OF DAVID L. DOCKERY**

David L. Dockery, Esq., hereby certifies as follows:

1. I am an attorney with the firm of Griffin Alexander, P.C., attorneys for the Defendants, The Bozzuto Group, Mr. Thomas S. Bozzuto, Mr. Toby Bozzuto, Mr. David Curcio, and Ms. Michelle Demetriou, in the above-entitled action.

2. I have become aware of an unpublished case involving Ms. Harris as a Pro Se litigant against the Federal Bureau of Investigation (also sued by Ms. Harris in this action) and several physicians. A copy of the opinion of the Court dismissing the action as frivolous and for failing to state a cause of action upon which relief could be granted, is attached hereto as **Exhibit A**.

3. I certify that Exhibit A is a true copy of the original document.

4. I logged onto ECF and found that service had been recorded as having been made upon the Defendants, but there were several irregularities with regard to service.

- With respect to Michelle Demetriou, service was left at her office with a sales and marketing person, who is not in charge of the office. Michele Demetriou was in charge of the office. The summons and complaint should have been delivered to her.
- As to Thomas Bozzuto, the summons read, "Mr. Thomas". There was no reference to any company or entity that should receive the delivery. It was Federal Expressed to the Bozzuto offices in Maryland in one package with the Summons for David Curcio and a summons for "Partners of the Bozzuto Operating Officer. While "mailing" is permitted, mailing is only permitted to the person's address.

- As to Toby Bozzuto, the summons was Federal Expressed to Bozzuto offices but without any reference to a Bozzuto company. The package was sent to Maryland in one package with the Summons for David Curcio and a summons for “Partners of the Bozzuto Operating Officer. While “mailing” is permitted, mailing is only permitted to the person’s address.
- As to David Curcio, his office is the offices of Bozzuto Management Company, 400 Madison Avenue, Suite 12C, New York, NY 10017.
- `Service was made by Federal Express to “Partners of the Bozzuto Operating Officer” by Federal Express at 6406 Ivy Lane, #700, Greenbelt, Maryland 20770. one of the Defendants are “Partners of the Bozzuto Operating Officer”. The Summons is defective and the service was effective. **(Exhibit B)**

I certify that the foregoing statements made by me are true. I understand that if any statements made herein are willfully false, I am subject to punishment.

Dated: September 18, 2018

  
\_\_\_\_\_  
DAVID L. DOCKERY ESQ.

# EXHIBIT A

No Shepard's Signal™  
As of: August 17, 2018 5:24 PM Z

## **Harris v. Sessions**

United States District Court for the Southern District of New York

August 3, 2018, Decided; August 3, 2018, Filed

18-CV-5245 (CM)

### **Reporter**

2018 U.S. Dist. LEXIS 131965 \*

DR. BEVERLEY M. HARRIS, Plaintiff, -against- U.S. ATTORNEY GENERAL JEFFERY SESSIONS, IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES; DIRECTOR CHRISTOPHER A. WRAY, **FEDERAL BUREAU OF INVESTIGATION**; ATTORNEY MARK NEBEKA US DEPARTMENT OF JUSTICE; SPECIAL AGENT DREW CHRISPIL, **FEDERAL BUREAU OF INVESTIGATION**; AN UNKNOWN NUMBER OF UNKNOWN AGENTS OF **FEDERAL BUREAU OF INVESTIGATION**; AN UNKNOWN NUMBER OF UNKNOWN AGENTS OF **FEDERAL BUREAU OF INVESTIGATION**; AN UNKNOWN NUMBER OF UNKNOWN AGENTS OF **FEDERAL BUREAU OF INVESTIGATION**; DR. GARLAND GOSSETT, SURGEON, ST. JOSEPH HOSPITAL; DR. STEFAN GRESS, DERMATOLOGIST; KBR, INC., Defendants.

### **Core Terms**

frivolous, **implanted**

**Counsel:** [\*1] Dr. Beverley M. Harris, Plaintiff, Pro se, New Rochelle, NY.

**Judges:** COLLEEN McMAHON, Chief United States District Judge.

**Opinion by:** COLLEEN McMAHON

### **Opinion**

#### **ORDER OF DISMISSAL**

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff Dr. Beverley M. Harris, appearing *pro se*, brings this action alleging that Defendants have violated her rights. By order dated July 24, 2018, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* (IFP). For the reasons

set forth below, the Court dismisses the complaint.

### **STANDARD OF REVIEW**

The Court must dismiss a complaint, or portion thereof, that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b); see *Abbas v. Dixon*, 480 F.3d 636, 639 (2d Cir. 2007). While the law mandates dismissal on any of these grounds, the Court is obliged to construe pro se pleadings liberally, *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009), and interpret them to raise the "strongest [claims] that they suggest," *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474-75 (2d Cir. 2006) (internal quotation marks and citations omitted) (emphasis in original).

A claim is frivolous when it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 324-25, 109 S. Ct. 1827, 104 L. Ed. 2d 338 (1989), *abrogated on other grounds by Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007); see also *Denton v. Hernandez*, 504 U.S. 25, 32-33, 112 S. Ct. 1728, 118 L. Ed. 2d 340 (1992) (holding that "finding of factual frivolousness [\*2] is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible"); *Livingston v. Adirondack Beverage Co.*, 141 F.3d 434, 437 (2d Cir. 1998) ("[A]n action is 'frivolous' when either: (1) the factual contentions are clearly baseless . . . ; or (2) the claim is based on an indisputably meritless legal theory.") (internal quotation marks and citation omitted).

### **BACKGROUND**

Plaintiff, who identifies herself as a "Retired US Air Force Disabled Veteran and a Retired US Government (US Army) Civil Services Employee," brings this complaint alleging that Defendants have violated her

2018 U.S. Dist. LEXIS 131965, \*2

"Human Rights, *First and Fourth Amendments* [sic] Rights, for 14 years." (Compl. at 2.)

Plaintiff alleges that Defendants violated her rights by:

Dr. Gossett illegally implanting a [sic] "FBI tracking device" in Plaintiff's right leg, approximately 8 inches [sic] above her knee, on 17 February 2005 without her knowledge and permission, with the help of Dr. Garland Gossett, St. Joseph Hospital, Houston Texas, under the false pretense of performing a colonoscopy,

Dr. Gress illegal implanting a "FBI Listening device" in Plaintiff's right ear, at the base of the opening of the ear, on 24 June 2014 during a facial procedure, without her knowledge and permission.

FBI, DOJ, and Drs. Gossett [\*3] & Gress took it upon themselves to be Plaintiff's "judge, jury, and executioner" in violation of "The Rule of Law", [sic] Federal Laws, State Laws, International laws, and other laws that clearly state that only a Court of Law can grant an order to have "devices" implanted in humans and that person who know about such implant procedure.

(*Id.*) Plaintiff asks the Court "to demand that these Defendants be held responsible for these violations and compensate Plaintiff for the many damages inflicted against Plaintiff and order that they cease and desist these illegal acts." (*Id.* at 50.)

On June 22, 2018, Plaintiff filed a "Motion to Cease and Desist," seeking an order to have Defendants cease from interfering with Plaintiff's communication system. (ECF No. 4.) On July 5, 2018, Plaintiff filed a "Second and Urgent Motion for Medical Evidence," seeking an order to have procedures performed to show the illegally implanted devices in her body. (ECF No. 5.) Plaintiff filed a "Motion for Emergency Medical Evidence" on July 9, 2018, seeking to have the devices removed from her body, "preventing the FBI from the continuous humane tracking and listening to Plaintiff every communication." (ECF No. 6.) Plaintiff [\*4] filed an "Amendment to Motion for Emergency Medical Evidence (ECF No. 9) on July 16, 2018, indicating that she is "in fear of her life as she strongly believe that whatever device etc. is illegally planted on her skull under the skin, in this area of her head, threatens her life." On July 16, 2018, Plaintiff filed a "Motion for an Order to Help to Save Plaintiff's Life," requesting "a chance to live, not to be killed by the FBI." (ECF No. 10.) Plaintiff filed a second "Motion to Cease and Desist" on July 23, 2018, asking to have

Defendants "stop these illegal action [sic] against her immediately," and an "Order to have the CT Scans perform [sic] so that the devices can be removed and not cause her death." (ECF No. 11.)

## DISCUSSION

Even when read with the "special solicitude" due pro se pleadings, *Triestman*, 470 F.3d at 474-75, Plaintiff's complaint must be dismissed as frivolous. Plaintiff's allegations rise to the level of the irrational, and there is no legal theory on which he can rely. See *Denton*, 504 U.S. at 33; *Livingston*, 141 F.3d at 437.

District courts generally grant a pro se plaintiff an opportunity to amend a complaint to cure its defects, but leave to amend is not required where it would be futile. See *Hill v. Curcione*, 657 F.3d 116, 123-24 (2d Cir. 2011); *Salahuddin v. Cuomo*, 861 F.2d 40, 42 (2d Cir. 1988). Because the defects in Plaintiff's complaint [\*5] cannot be cured with an amendment, the Court declines to grant Plaintiff leave to amend.

## CONCLUSION

The Clerk of Court is directed to assign this matter to my docket, mail a copy of this order to Plaintiff, and note service on the docket.

Plaintiff's complaint is dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i). The Court also denies all of Plaintiff's motions (ECF Nos. 4-6, 9-11) as moot, and directs the Clerk of Court to terminate any other pending matters.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

Dated: August 3, 2018

New York, New York

/s/ Colleen McMahon

COLLEEN McMAHON

Chief United States District Judge

2018 U.S. Dist. LEXIS 131965, \*5

CIVIL JUDGMENT

Pursuant to the order issued August 3, 2018, dismissing the complaint,

IT IS ORDERED, ADJUDGED AND DECREED that the complaint is dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i). The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: August 3, 2018

New York, New York

/s/ Colleen McMahon

**[\*6]** COLLEEN McMAHON

Chief United States District Judge

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End of Document

# EXHIBIT B



Case 2:18-cv-10277-MCA-SCM Document 18 Filed 08/30/18 Page 2 of 16 PageID: 137

Case 2:18-cv-10277-MCA-SCM Document 11 Filed 07/11/18 Page 1 of 2 PageID: 85

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**BEVERLEY M. HARRIS ,**  
*Plaintiff*

**V.**

**SUMMONS IN A CIVIL CASE**

**THE BOZZUTO GROUP, ET AL.,**  
*Defendant*

CASE  
NUMBER: **2:18-CV-10277-MCA-SCM**

TO: *(Name and address of Defendant):*

Ms. Michelle Demetriou  
417 Raritan Road  
Roselle, NJ 07203

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**Donato Marucci**

(By) DEPUTY CLERK



ISSUED ON 2018-07-11 15:10:45, Clerk  
USDC NJD

U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <b>DR. DEVERLEY M HARRIS</b>	COURT CASE NUMBER <b>2:18-CV-10277-MCA-SCM</b>
DEFENDANT <b>THE DOZZUTO GROUP ET AL</b>	TYPE OF PROCESS <b>COMPLAINT</b>
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <b>MICHELLE DEMETRICU</b>	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <b>417 RARITAN ROAD, ROSELIE NJ 07203</b>	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW <b>610 GREENWAY BLVD ROSELIE NJ 07203</b>	
Number of process to be served with this Form 285	<b>1</b>
Number of parties to be served in this case	<b>2</b>
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

RECEIVED USMS  
NEWARK, N.J. 07102  
AUG 15 PM 1:56

Signature of Attorney or Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

DATE

**(973) 876-0933****11/7/2018****SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <b>50</b>	District to Serve No. <b>50</b>	Signature of Authorized USMS Deputy or Clerk <b>C. Roberts</b>	Date <b>8-15-18</b>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

**Jackie Foreman - Sales & Marketing**

Address (complete only different than shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abodeDate **8/22/18** Time **2:50** ☐ am ☒ pm

Signature of U.S. Marshal or Deputy

**M. Roberts**

Service Fee <b>\$65</b>	Total Mileage Charges including endeavors <b>\$13.37</b>	Forwarding Fee	Total Charges <b>\$78.37</b>	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS: **One Deputy, One hour, 25 miles R/T**

- DISTRIBUTE TO:**
1. CLERK OF THE COURT
  2. USMS RECORD
  3. NOTICE OF SERVICE
  4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
  5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**BEVERLEY M. HARRIS ,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**THE BOZZUTO GROUP, ET AL.,**  
*Defendant*

CASE  
NUMBER: **2:18-CV-10277-MCA-SCM**

TO: *(Name and address of Defendant):*

Mr. Thomas  
6404 Ivy Lane #700  
Greenbelt Maryland, 20770

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

WILLIAM T. WALSH

CLERK

Donato Marucci

(By) DEPUTY CLERK



ISSUED ON 2018-07-11 15:10:45, Clerk  
USDC NJD

RECEIVED USMS  
NEWARK, N.J. 07102  
2018 JUL 15 PM 12:50

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <u>DR. BEVERLEY M HARRIS</u>	COURT CASE NUMBER <u>2:18-CV-10277-MCA-SCM</u>						
DEFENDANT <u>MR. THOMAS BOZEUTO, ET AL.</u>	TYPE OF PROCESS <u>COMPLAINT</u>						
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN SERVE AT <u>MR. THOMAS BOZEUTO</u>							
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>6406 IVY LANE # 700, GREENBELT MARYLAND 20770</u>							
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW <u>610 GREENWAY BLVD</u> <u>ROSELLE NJ 07203</u>	<table border="1"> <tr> <td>Number of process to be served with this Form 285</td> <td><u>1</u></td> </tr> <tr> <td>Number of parties to be served in this case</td> <td><u>8</u></td> </tr> <tr> <td>Check for service on U.S.A.</td> <td></td> </tr> </table>	Number of process to be served with this Form 285	<u>1</u>	Number of parties to be served in this case	<u>8</u>	Check for service on U.S.A.	
Number of process to be served with this Form 285	<u>1</u>						
Number of parties to be served in this case	<u>8</u>						
Check for service on U.S.A.							

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>(973) 876-0933</u>	DATE <u>7/10/2018</u>
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## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <u>50</u>	District to Serve No. <u>037</u>	Signature of Authorized USMS Deputy or Clerk <u>C. Roberts</u>	Date <u>7-12-18</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode				
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date <u>8-15-18</u></td> <td>Time <input type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy <u>C. Roberts</u></td> </tr> </table>	Date <u>8-15-18</u>	Time <input type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy <u>C. Roberts</u>	
Date <u>8-15-18</u>	Time <input type="checkbox"/> am <input type="checkbox"/> pm				
Signature of U.S. Marshal or Deputy <u>C. Roberts</u>					

Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits <u>0</u>	Amount owed to U.S. Marshal* or (Amount of Refund*) <u>0</u>
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REMARKS: Fed Ex. 7729 8035 6788

Received approval from Clerk of Court to move forward with service on Aug 15-18.

- DISTRIBUTE TO:**
1. CLERK OF THE COURT
  2. USMS RECORD
  3. NOTICE OF SERVICE
  4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
  5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

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Case 2:18-cv-10277-MCA-SCM Document 11 Filed 07/11/18 Page 1 of 2 PageID: 85

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**BEVERLEY M. HARRIS ,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**THE BOZZUTO GROUP, ET AL.,**  
*Defendant*

CASE  
NUMBER: **2:18-CV-10277-MCA-SCM**

TO: *(Name and address of Defendant):*

Toby Bozzuto  
6406 Ivy Lane #700  
Greenbelt MD 20770

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

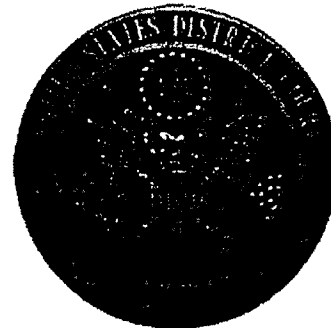
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**Donato Marucci**

(By) DEPUTY CLERK



ISSUED ON 2018-07-11 15:10:45, Clerk  
USDC NJD

U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**  
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <u>DR. BEVERLEY M. HARRIS</u>		COURT CASE NUMBER <u>2:18-CV-10277-MCA-SCM</u>	
DEFENDANT <u>THE BOZZUTO GROUP et al.</u>		TYPE OF PROCESS <u>COMPLAINT</u>	
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>TOBY BOZZUTO</u>		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>6406 IVY LANE #700, GREENBELT MARYLAND 20770</u>		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW <u>610 GREENWAY DR ROSELLE NJ 07203</u>		Number of process to be served with this Form 285 <u>1</u>	
		Number of parties to be served in this case <u>2</u>	
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

DATE

(973) 876-0933 11/7/2018**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <u>50</u>	District to Serve No. <u>37</u>	Signature of Authorized USMS Deputy or Clerk <u>C. Roberts</u>	Date <u>8-12-18</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date 8-15-18 Time ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

C. RobertsRemark:  
Received approval from Clerk of Court office to move forward with service on Aug 15, 2018

Service Fee <u>65</u>	Total Mileage Charges including endeavors	Forwarding Fee <u>8</u>	Total Charges <u>\$73</u>	Advance Deposits <u>0</u>	Amount owed to U.S. Marshal* or (Amount of Refund*) <u>0</u>
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REMARKS: FED Ex 7729 8035 6788Sent to the Group: Partners of The Bozzuto Group Located at 6406 Ivy Lane  
Thomas Bozzuto, Toby Bozzuto, Daniel Curcio Greenbelt MD

- DISTRIBUTE TO:**
1. CLERK OF THE COURT
  2. USMS RECORD
  3. NOTICE OF SERVICE
  4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
  5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**BEVERLEY M. HARRIS,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**THE BOZZUTO GROUP, ET AL.,**  
*Defendant*

CASE  
NUMBER: **2:18-CV-10277-MCA-SCM**

TO: *(Name and address of Defendant):*

Mr David Curcio  
6404 Ivy Lane #700  
Greenbelt Maryland, 20770

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**Donato Marucci**

(By) DEPUTY CLERK



ISSUED ON 2018-07-11 15:10:45, Clerk  
USDC NJD



U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <u>DA BENERLEY M HARRIS</u>		COURT CASE NUMBER <u>2:18-cv-10277-MCA-SCM</u>	
DEFENDANT <u>THE DOZZUTO GROUP et al</u>		TYPE OF PROCESS <u>COMPLAINT</u>	
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>DAVID CURCIO</u>			
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>6406 IVY LANE #700, GREENBELT MARYLAND 20770</u>			
SERVE AT		SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <u>610 GREENWAY BLVD</u>  <u>ROSELIE NJ 07203</u> </div>		Number of process to be served with this Form 285	<u>1</u>
		Number of parties to be served in this case	<u>8</u>
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney, Other Originator requesting service on behalf of: <u>Dr. [Signature]</u>		<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>(973) 876-0933</u>	DATE <u>11/7/2018</u>	
<b>SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE</b>					
I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. <u>50</u>	District to Serve No. <u>37</u>	Signature of Authorized USMS Deputy or Clerk <u>C. Roberts</u>	Date <u>7-12-18</u>
I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.					
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)					
Name and title of individual served (if not shown above)				<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)				Date <u>8-15-18</u>	Time <input type="checkbox"/> am <input type="checkbox"/> pm
				Signature of U.S. Marshal or Deputy <u>C. Roberts</u>	
Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits <u>0</u>	Amount owed to U.S. Marshal* or (Amount of Refund*) <u>0</u>
REMARKS: <u>Received Document to move forward with service on Aug. 15, 2018</u> <u>FED. EX. 7729 8035-6788</u>					

**DISTRIBUTE TO:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED



**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**BEVERLEY M. HARRIS ,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**THE BOZZUTO GROUP, ET AL.,**  
*Defendant*

CASE  
NUMBER: **2:18-CV-10277-MCA-SCM**

TO: *(Name and Address of Defendant):*

Partners of the Bozzuto  
Operating Officer  
6406 Ivy Lane, #700  
Greenbelt, Maryland 20770

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**Donato Marucci**

(By) DEPUTY CLERK



ISSUED ON 2018-07-11 15:10:45, Clerk  
USDC NJD

RECEIVED USMS  
NEWARK, N.J. 07102  
2018 AUG 15 PM 12:50

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <u>DR. BEYERLEY M. HARRIS</u>		COURT CASE NUMBER <u>2:18-CV-10277-MCA</u>
DEFENDANT <u>MR. THOMAS BOZZUTO ET AL.</u>		TYPE OF PROCESS <u>COMPLAINT</u>
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
SERVE AT	Partners of the Bozzuto 6406 Ivy Lane #700 Greenbelt MD 20770	
SEND NOTICE TO	<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <u>110 GREENWAY BLVD</u>  <u>ROSELIE NJ 07068</u> </div>	
Number of process to be served with this Form 285 <u>1</u>		Number of parties to be served in this case <u>4</u>
Check for service on U.S.A. <input type="checkbox"/>		
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):		

F-3

Fold

**COPY**

Signature of Attorney (other Originator requesting service on behalf of)		<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>(973) 876-6133</u>	DATE <u>7/16/20</u>
<b>SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE</b>				
I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process <u>50</u>	District of Origin <u>SD</u>	District to Serve <u>231</u>	Signature of Authorized USMS Deputy or Clerk <u>C. Roberts</u>
				Date <u>7-19-18</u>
I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc., shown at the address inserted below.				
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)				
Name and title of individual served (if not shown above)			<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)			Date <u>8-15-18</u>	Time <input type="checkbox"/> am <input type="checkbox"/> pm
			Signature of U.S. Marshal or Deputy <u>C. Roberts</u>	
Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits
				<u>0</u>
				Amount owed to U.S. Marshal or (Amount of Refund) <u>0</u>

REMARKS: Fed Ex. 7724 8035 6788

Received approval from Clerk of Court to move forward with service on Aug 15

DISTRIBUTE TO: 1-CLERK OF THE COURT  
2-USMS RECORDS

PRIOR EDITIONS MAY BE USED